

**TOWNSHIP OF SOUTH FRONTENAC
COMMITTEE OF ADJUSTMENT/LAND DIVISION COMMITTEE
MINUTES 14:04
MAY 8, 2014**

LOCATION: South Frontenac Municipal Offices, Sydenham

IN ATTENDANCE: Ken Gee (Storrington District)
Cam Naish (Storrington District)
Ron Vandewal (Loughborough District)
Len McCullough (Loughborough District)
Larry Redden (Portland District)
Pat Barr (Bedford District)

ABSENT WITH REGRETS: Bill Robinson (Portland District)
David Hahn (Bedford District)

STAFF: Lindsay Mills – Secretary-Treasurer/Planner
Anne Levac – Assistant Secretary-Treasurer/Committee Clerk
Brian Gass – Chief Building Inspector
Amanda Mallory – Deputy Secretary Treasurer

RESOLUTIONS & BUSINESS:

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Item #1: Call to Order

RESOLUTION: C of A: 14:04:01

Moved by R. Vandewal

Seconded by: K. Gee

THAT the May 8, 2014 meeting of the South Frontenac Township Committee of Adjustment is hereby called to order at 7:07p.m. with Ron Vandewal in the Chair.

Carried

Item #2: Adoption of Agenda

Approved as circulated.

Item # 3: Declaration of Pecuniary Interest

Len declared pecuniary interest and stepped down from the committee for application S-13-14-L.

Item #4: Approval of Minutes

RESOLUTION: C of A: 14:04:02

Moved by: R. Vandewal

Seconded by: K. Gee

THAT the minutes of the April 10, 2014 meeting of the South Frontenac Township Committee of Adjustment are hereby approved as amended.

Carried**Item #5: S-63-13-B (Day)**

Speaking to the Application:

Discussion:

The subject lands consist of 37.5+/- acres with frontage on James Wilson Road and Desert Lake. The application is for the creation of a 3.6+/- acre waterfront lot with frontage on Desert Lake and on an inland pond. The application was deferred at a previous meeting because a Health report was not available. A positive report has now been received.

RESOLUTION: C of A: 14:04:03

Moved by: P. Barr

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-62-13-B by Bernice Day, to create a waterfront lot in concession 4, lot 4, James Wilson Road, District of Bedford, subject to conditions.

Carried

Application No:	S-63-13-B
Owner:	Bernice Day
Location of Property:	Concession 4, Lot 4, Desert Lake, District of Bedford, Township of South Frontenac
Purpose of Application:	Creation of waterfront lot
Date of Hearing:	December 12, 2013

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Application 63-13-B shall be for a 5+/- acre lot, with 600+/- ft. of water frontage, and 500+/- ft. frontage on James Wilson Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel, as though it was vacant, in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed land (James Wilson Road) measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a) The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b) The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;

- c) The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended.

- d) The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
- e) The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant shall enter into a development agreement to be registered on title to the severed parcel which deals with the Township's environmental policies, as well as the requirement for the owner to contact the Cataraqui Region Conservation Authority prior to the any development on the property, to determine the need for a permit.
8. The applicant shall obtain an amendment to the South Frontenac Township Zoning By-law to rezone the severed lot from Rural to Residential Waterfront.

Item #6: S-05-14-P (Allan)

Speaking to the Application:

Discussion:

The subject lands consist of 77+/- acres with frontage on Hinchinbrooke Road, Hambly Lake and Verona Lake. The proposal is to create a new non-waterfront lot approximately 7 acres in size fronting on Hinchinbrooke Road. The Roads Department is satisfied that there is a suitable entrance location. However, because of winter conditions, a report was not available from Public Health when the application first came to the Committee. A satisfactory report is now available.

RESOLUTION: C of A: 14:04:04

Moved by: P. Barr

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-05-14-P by Doug Allan, to create a residential lot in concession 10, lot 6/7, Hinchinbrooke Road, District of Portland, subject to conditions.

Carried

Application No:	S-05-14-P
Owner:	Doug Allan
Location of Property:	Concession 10, Lot 6/7, Hinchinbrooke Road, District of Portland, Township of South Frontenac
Purpose of Application:	Creation of residential lot
Date of Hearing:	March 6, 2014

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Application S-05-14-P shall be for a 7+/- acre residential lot, with 250 ft.+ frontage on Hinchinbrooke Road .
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the

retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.

5. The Township of South Frontenac shall receive 5% of the value of the severed parcel, as though it was vacant, in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed land (James Wilson Road) measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a) The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b) The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c) The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended.
 - d) The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e) The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant shall submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.

Item #7: S-08-14-B (Heaton)

Speaking to the Application:

Discussion:

The subject lands consist of 100 acres with frontage on Devil Lake Road and Mulville Road. There is also a very large body of water dividing the severed parcel from the retained. The retained parcel is developed with a single family dwelling and accessory buildings. The proposed severed parcel is vacant. The application was deferred at the April meeting because a report had not been received from Public Health. That report is now available and is positive. There is a reference in the Health report to a marsh area on the property, and a condition will therefore be included in the development agreement which requires that the Rideau Valley Conservation Authority be contacted prior to any construction on the property, including the construction of any road ways.

RESOLUTION: C of A: 14:04:05

Moved by: L. Redden

Seconded by: P. Barr

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-08-14-B by Michael & Janice Heaton, to create a lot in concession 12, lot 18, Devil Lake Road, District of Bedford, subject to conditions.

Carried

Application No:	S-08-14-B
Owner:	Michael Heaton, Janice Heaton
Location of Property:	Concession 12, Lot 18, Devil Lake Road, District of Bedford, Township of South Frontenac
Purpose of Application:	Creation of 35+/- acre lot
Date of Hearing:	April 10, 2014

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Application S-08-14-B shall be for a 35 +/- acre lot.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel (as though it were vacant) in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed land (Devil Lake Road) measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a) The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b) The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c) The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended.
 - d) The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e) The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant shall enter into a development agreement to be registered on title to the severed lot, which includes the setback requirement from the pond, and wetlands, and which requires that the owner shall contact the Rideau Valley Conservation Authority prior to any construction, including roads, on the severed parcel.

Item #8: S-09-14-B (Bresee)

Speaking to the Application: Kent Bandy

Discussion:

The subject lands consist of 26.9 acres with frontage on Hanna Road and Wolfe Lake. The proposal is for the addition of 3.5 acres to the property owned by Ellet Ministries at 183 Hanna Road. The proposed uses of the additional property include an upgraded sewage disposal system, parking, solar panels and an accessory building. The lot addition will need to be rezoned to match the zoning of the parcel to which it is being added. A report was not available from Public Health when the application first came to the Committee. A satisfactory report is now available.

RESOLUTION: C of A: 14:04:06

Moved by: P. Barr

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-09-14-B submitted by Steven & Nicole Bresee, to create lot addition, in concession 11, lot 22, Hanna Road, District of Bedford, subject to conditions.

Carried

Application No:	S-09-14-B
Owner:	Nicole & Steven Bresee
Location of Property:	Concession 11, Lot 22, Hanna Road, District of Bedford, Township of South Frontenac
Purpose of Application:	Creation of 3.5+/- acre lot addition
Date of Hearing:	April 10, 2014

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

- 1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.**
- 2. The land to be severed by Consent Application S-09-14-P shall be for a 3.5 +/- acre lot addition to part 1 of 13R-9677.**
- 3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)**
- 4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.**
- 5. The Township of South Frontenac shall receive \$100 in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**
- 6. The applicant shall obtain an amendment to the Township's Comprehensive Zoning By-law to rezone the lot addition parcel from Rural to a special RU zone since the lot addition parcel will now be part of the Ellet Ministries property.**

Item #9: S-12-14-P (Young)

In attendance:

Discussion:

The subject lands consist of 139 acres with frontage on Verona Sand Road. It is developed with a single family dwelling and accessory buildings. The application is for the creation of a 7 to 10 acre parcel, with frontage on Verona Sand Road at the west side of the property. The Roads Department has indicated that brush removal will be required, and has also noted that the lot is very low at the back, which might suggest some limitations regarding house construction. No report had been received from Public Health prior to the April meeting and the application was therefore deferred. During this deferral period, more consideration was given to the issue of flooding on the proposed lot. The CBO has indicated that there is a ditch along the front of the property that does not seem to go anywhere. Conditions have been included which require approval from Public Works regarding the drainage, and which stipulate that the basement floor must be no lower than the level of the road.

CBO, Brian Gass was in attendance to discuss matters relating to building relative to wet ground

L. Redden stated that lot is 3ft. lower than road. He agrees that there should be conditions dealing with the wetness

C. Naish stated that he would like to see ditched cleaned out by Township

RESOLUTION: C of A: 14:04:07

Moved by: L. Redden

Seconded by: P. Barr

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-12-14-P by Joan Esther Young, to create residential lot in concession 11, lot 11, Verona Sand Road, District of Portland, subject to conditions.

Carried

Application No:	S-12-14-P
Owner:	Joan Esther Young
Location of Property:	Concession 11, Lot 11, Verona Sand Road, District of Portland, Township of South Frontenac
Purpose of Application:	Creation of 7-10 acre lot
Date of Hearing:	April 10, 2014

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Application S-12-14-P shall be for a 5-7+ acre lot, with a minimum of 250 + ft. frontage on Verona Sand Road.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained land measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a) The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b) The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c) The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

*The Transferor hereby transfers the lands to the municipality
for the purpose of widening the adjacent highway pursuant
to Section 31(6) of the Municipal Act, 2001, S.O. 2001, Chapter 25,
as amended.*
 - d) The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e) The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant shall submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.
8. The applicant shall rezone the severed lot to a special Rural-H zone which will prevent development until such time as the following are determined by anyone wishing to build on the property: location of buildings on the property, proposed elevations of footings,

proposed grades, and any third party assessments and/or designs required by the Building Department.

Item #10: MV-01-14-P (Fleming, Kennedy)

Speaking to the Application: Tony Fleming

Discussion:

This is a 2.74 acre waterfront lot, accessed by a private lane. The application is for a variance to permit construction of a dwelling to be located 70 ft. from the high water mark. Although the lot is large, the terrain and a wetland provide some challenges. There will be a new sewage disposal system, which will be further from the water than the cottage. Quinte Conservation had asked for a deferral of the application when it first came to the Committee so that they could do a proper site inspection, without being hampered by snow and ice. Their report is now available. The variance will be for a reduced water setback, and a reduced setback from the right-of-way.

Allowing a 300 sq. ft. deck which was not on the application

RESOLUTION: C of A: 14:04:08

Moved by: L. Redden

Seconded by: P. Barr

THAT the South Frontenac Township Committee of Adjustment hereby approves minor variance application MV-01-14-P by Tony Fleming and Terrie Kennedy, to permit construction of dwelling within 30m of high water mark, in concession 13, lot 7, Howes Lake, District of Portland, subject to conditions.

Carried

Application No:	MV-01-14-P
Owner:	Tony Fleming, Terri Kennedy
Location of Property:	Pt. Lot 7, Concession 13, Kens Lane, Howes Lake, District of Portland, Township of South Frontenac
Purpose of Application:	To vary section 10.3.1 of the Comprehensive Zoning By-law to permit development within 30m of high water mark
Date of Hearing:	February 13, 2014
DECISION:	VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. The variance is limited to the construction of a new single storey dwelling with a footprint of 1200 sq. ft. and a 300 sq. ft. deck, all to be located a minimum of 70 ft. from the high water mark of Howes Lake and 10 ft. from the surveyed edge of Ken's Lane.
2. No other structures shall be permitted within the 30m setback from the high water mark.
3. Minor variance MV-01-13-P is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
4. A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.
5. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's limited service and environmental policies, and which specifies that a permit will be required from the Quinte Conservation Authority for the proposed development, and for construction of docks, and shoreline or in-water works.

REASON FOR DECISION: The variance has been supported by staff, and there have been no objections from the public. It is considered to be minor and in keeping with the intent of the official plan and zoning by-law.

Item #11: S-13-14-L (McCullough)

Speaking to the Application: Joan & Len McCullough

Discussion:

The subject lands consist of 147.36+/- acres and have frontage on Wilmer Road. The proposal is for the creation of a 2+/- acre residential lot with existing dwelling.

RESOLUTION: C of A: 14:04:09

Moved by: C. Naish

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-13-14-L by Leonard & Joan McCullough, to create residential lot with existing dwelling, in concession 5, lot 13, Wilmer Road, District of Loughborough, subject to conditions.

Carried

Application No:	S-13-14-L
Owner:	Leonard & Joan McCullough
Location of Property:	Concession 5, Lot 13, Wilmer Road, District of Loughborough, Township of South Frontenac
Purpose of Application:	Creation of residential lot, with existing dwelling
Date of Hearing:	May 8, 2014

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Application S-13-14-L shall be for a 2+/- acre lot, with 250 ft. + frontage on Wilmer Road, and with existing dwelling.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel, as though it were vacant, in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained land measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a) The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b) The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c) The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended.

- d) **The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;**
- e) **The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.**

7. The applicant shall submit a report demonstrating potable water on the severed parcel.

Item #12: S-15-14-L (Shales)

Speaking to the Application: John Shales

Discussion:

The subject lands consist of 21+ acres fronting on Shales Road and Draper Lake. (The actual assessed size of the property is much larger but includes parcels that are naturally severed from the parcel under consideration). The proposals are for the creation of two lots fronting on both a public road and a lake. Each lot, as well as the retained parcel, is developed with a single family dwelling or cottage. Reports from Health and CRCA are positive. A development agreement will require that the owner contact the CRCA prior to any development or site alteration within 50m of the lake. The lots will need to be rezoned to Residential Waterfront, and the 50m setback can be incorporated into the rezoning. There appears to be an issue with regard to the lot proposed through application S-16-14-L in that much of the lot is wetland, and therefore does not have 2.5 acres of land. Therefore, application S-15-14-L was deferred for reconsideration of alternate options for both applications.

RESOLUTION: C of A: 14:04:10

Moved by: K. Gee

Seconded by: C. Naish

THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-15-14-L by Marie Shales, to create a waterfront lot, in concession 10, lot 16/17, Draper Lake, District of Loughborough, for possible consideration to amend application.

Carried

Item #13: S-16-14-L (Shales)

Speaking to the Application: John Shales

Discussion:

The subject lands consist of 21+ acres fronting on Shales Road and Draper Lake. (The actual assessed size of the property is much larger but includes parcels that are naturally severed from the parcel under consideration). The proposals are for the creation of two lots fronting on both a public road and a lake. Each lot, as well as the retained parcel, is developed with a single family dwelling or cottage. Reports from Health and CRCA are positive. A development agreement will require that the owner contact the CRCA prior to any development or site alteration within 50m of the lake. The lots will need to be rezoned to Residential Waterfront, and the 50m setback can be incorporated into the rezoning. There appears to be an issue with regard to the lot proposed through application S-16-14-L in that much of the lot is wetland, and therefore does not have 2.5 acres of land. Therefore, application S-16-14-L was deferred for reconsideration of alternate options for both applications.

RESOLUTION: C of A: 14:04:10

Moved by: K. Gee

Seconded by: C. Naish

THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-15-14-L by Marie Shales, to create a waterfront lot, in concession 10, lot 16/17, Draper Lake, District of Loughborough, for possible consideration to amend application.

Carried

Item #14: S-17-14-L (Skoggard, McQuillan)

Speaking to the Application: John Vincett (agent)

Discussion:

The subject lands front on Lady Bush Lane, off of Bedford Road. The application is for the division of a vacant parcel between 1006 and 1048 Lady Bush Lane and the addition of half (3.5+/- acres) to each of the neighbouring properties. There are no sewage disposal systems near the lot addition parcels, and no new entrance required. Therefore reports were not required from Public Health or Roads. L. Mills stated that we are accomplishing low density around lakes through approval of this application. Consistent with the intent of the Official Plan.

RESOLUTION: C of A: 14:04:12

Moved by: K. Gee

Seconded by: L. McCullough

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-17-14-L by Bengt Skoggard & Mary Lou McQuillan, to create lot additions to two waterfront properties, in concession 12, lot 8, North Otter Lake, District of Loughborough, subject to conditions.

Carried

Application No:	S-17-14-L
Owner:	Bengt Skoggard and Mary Lou McQuillan
Location of Property:	Concession 12, Lot 8, Lady Bush Lane, District of Loughborough, Township of South Frontenac
Purpose of Application:	Creation of lot addition
Date of Hearing:	May 8, 2014
DECISION:	PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

- 1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.**
- 2. The land to be severed by Consent Application S-17-14-S/L shall be a 3.5+/- acre lot addition only to 1048 Lady Bush Lane (RP 13R-9869, part 2) and 3.5 +/- acre lot addition only to 1006 Lady Bush Lane (13R-9869, part 4).**
- 3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)**
- 4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.**
- 5. The Township of South Frontenac shall receive \$100 in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**

Item #15: S-18-14-P (Sousa-Dias)

Speaking to the Application: Pedro Sousa-Dias

Discussion:

The subject lands consist of 25.5+/- acres and are developed with a single family dwelling. The proposal is to create a 4 +/- acre residential lot with 250 ft. frontage on Colebrooke Road. Public Health has no objection. The Roads Department has indicated that the entrance will need to be in a very specific location, and therefore a condition of consent is that an entrance permit must be obtained prior to the stamping of the deed. Otherwise, all agencies had no objection and staff supported the application.

RESOLUTION: C of A: 14:04:13

Moved by: L. Redden

Seconded by: P. Barr

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-18-14-P by Pedro & Donna Sousa-Dias, to create residential lot in concession 4, lot 14, Colebrooke Road, District of Portland, subject to conditions.

Carried

Application No:	S-18-14-P
Owner:	Pedro & Donna Sousa-Dias
Location of Property:	Concession 4, Lot 14, Colebrooke Road, District of Portland, Township of South Frontenac
Purpose of Application:	Creation of residential lot
Date of Hearing:	May 8, 2014

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Application S-18-14-P shall be for a 4+/- acre lot, with 250 ft. of public road frontage.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)\
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a) The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b) The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c) The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended.
 - d) The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e) The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances

shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.

7. The applicant shall obtain an entrance permit prior to the stamping of the deed and construct the entrance to the satisfaction of the Roads Department.
8. The applicant shall submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.

Item #16: S-19-14-L (Bertrand)

Speaking to the Application: Mark Dinelle

Discussion:

The subject lands consist of 4.9+/- acres with frontage on Stagecoach and Railton Roads. The property is developed with a single family dwelling and an accessory building. The application is for the creation of a 2 acre residential lot with frontage on both roads. The Roads Department has said that an entrance is possible, but that a site meeting will be required to determine the best location depending on whether the access proposed off of Railton or off of Stagecoach Road. Public Health and Building have no objection.

This property is located at least in part within an area identified as highly sensitive in terms of groundwater – it is what the CRCA refers to as a highly vulnerable aquifer. Staff are aware that there have been problems experienced in the past with regard to water availability in this general area. A condition has been included which requires evidence on the part of the applicant that a new well will not negatively impact on neighbouring wells.

L. Mills recommended deferral to get draw down test

R. Vandewal suggested approving on condition that draw down test is satisfactory

Committee prefers entrance off Railton Road as it is not as busy as Stagecoach.

RESOLUTION: C of A: 14:04:14

Moved by: Len McCullough

Seconded by: C. Naish

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-19-14-L by Janet Bertrand, to create residential lot in concession 3, lot 3, Railton & Stagecoach Roads, District of Loughborough, subject to conditions.

Carried

Application No:	S-19-14-L
Owner:	Janet Bertrand
Location of Property:	Concession 3, Lot 3, Railton & Stagecoach Roads, District of Loughborough, Township of South Frontenac
Purpose of Application:	Creation of residential lot
Date of Hearing:	May 8, 2014

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Application S-19-14-L shall be for a 2 acre lot, with 250 ft. of public road frontage.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.

5. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
6. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - a) The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - b) The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - c) The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended.
 - d) The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - e) The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
7. The applicant shall arrange a site visit with the Roads Department to determine the most appropriate entrance location.
8. The applicant shall submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.
9. The applicant shall provide confirmation from a professional hydrologist that the well on the proposed new lot would not detrimentally impact on existing wells within 500 ft. of the new well.

Item #17: S-20-14-L (Tschakovsky)

Speaking to the Application: Michael Tschakovsky

Discussion:

The subject lands consist of 7.34 +/- acres fronting on Railton and Stagecoach Roads. The proposal is to create a residential lot fronting on Railton Road, and one fronting on both Railton and Stagecoach Roads. There is a small barn on the retained parcel but that property will be so small as to prohibit many farm animals – e.g. maximum of one horse.

This property is located in the same highly vulnerable aquifer as the lot proposed through application S-19-14-L which is diagonally across from these lots on the west side of Stagecoach Road. Staff are aware that there have been problems experienced in the past with regard to water availability in this general area. A condition has been included which requires evidence on the part of the applicant that a new well will not negatively impact on neighbouring wells. No report has been received from Public Health, apparently because they have had difficulty contacting the applicant. Public health report was not available for meeting, therefore application was deferred.

Letters were read from Kestevan & Rodenburg regarding water issues experienced

RESOLUTION: C of A: 14:04:15

Moved by: K. Gee

Seconded by: L. McCullough

THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-20-14-L by Michael Tschakovsky, to create residential lot, in concession 2, lot

14, Railton & Stagecoach Roads, District of Loughborough, pending receipt of report from KFL&A Public Health.

Carried

Item #18: S-21-14-L (Tschakovsky)

Speaking to the Application: Michael Tschakovsky

Discussion:

The subject lands consist of 7.34 +/- acres fronting on Railton and Stagecoach Roads. The proposal is to create a residential lot fronting on Railton Road, and one fronting on both Railton and Stagecoach Roads. There is a small barn on the retained parcel but that property will be so small as to prohibit many farm animals – e.g. maximum of one horse.

This property is located in the same highly vulnerable aquifer as the lot proposed through application S-19-14-L which is diagonally across from these lots on the west side of Stagecoach Road. Staff are aware that there have been problems experienced in the past with regard to water availability in this general area. L. Mills noted that there are at least 30 existing wells within 500 metres of the property. A condition has been included which requires evidence on the part of the applicant that a new well will not negatively impact on neighbouring wells. No report has been received from Public Health, apparently because they have had difficulty contacting the applicant. Public health report was not available for meeting, therefore application was deferred.

Letters were read from Kestevan & Rodenburg regarding water issues experienced on their nearby wells.

RESOLUTION: C of A: 14:04:16

Moved by: K. Gee

Seconded by: L. McCullough

THAT the South Frontenac Township Committee of Adjustment hereby defers consent application S-21-14-L by Michael Tschakovsky, to create residential lot, in concession 2, lot 14, Railton & Stagecoach Roads, District of Loughborough, pending receipt of report from KFL&A Public Health.

Carried

Item #19: S-22-14-S (Schubert)

Speaking to the Application: Scott McCallum (agent)

Discussion:

The subject lands front on Hemlock Hill Lane, Dog Lake. The application is for the creation of a 4.37 +/- acre lot addition to a waterfront property. There are no sewage disposal systems near the lot addition parcels, and no new entrance required. Therefore reports were not required from Public Health or Roads.

RESOLUTION: C of A: 14:04:17

Moved by: C. Naish

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-22-14-s by Cedric, Conrad & Carl Schubert, to create lot addition to waterfront lot, in concession 8, lot 20, Dog Lake, District of Storrington, subject to conditions.

Carried

Application No:	S-22-14-S
Owner:	Cedric Schubert, Conrad Schubert, Carl Schubert
Location of Property:	Concession 8, Lot 20, Milburn Road, District of Storrington, Township of South Frontenac
Purpose of Application:	Creation of lot addition to waterfront lot (McCallum)
Date of Hearing:	May 8, 2014

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The lot addition parcel shall include that portion of the private lane which provides the rear lot line to the enlarged parcel.
3. The land to be severed by Consent Application S-22-14-S shall be for a 4.37+/- acre lot addition only to Concession 8, Lot 20, Dog Lake (RP 13R-383, part 1)
4. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
5. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
6. The Township of South Frontenac shall receive \$100 in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.

Item #20: S-23-14-P (Davis)

Speaking to the Application: Viola Davis

Discussion:

The subject lands consist of 34.6 acres, with frontage on Wallace Road. It is developed with a single family dwelling and several accessory buildings, including a large workshop. The proposed shape of the lot is in part to allow this building to remain on the retained parcel. In addition, although the proposed lot is slightly "wrap-around", the alternative would be an awkward space between the rear lot line of the new lot, and the lot to the east.

Roads and Public Health have no objections, although the potential locations for a sewage disposal system will be limited, and will require specific technical measures to account for the minimal amount of topsoil. Staff were supportive of the application. A special zone will be put on part of the back of the lot to prevent development behind abutting property.

RESOLUTION: C of A: 14:04:18

Moved by: L. Redden

Seconded by: P. Barr

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-23-14-P by Viola Davis, to create residential lot, in concession 3, lot 15, Wallace Road, District of Portland, subject to conditions.

Carried

Application No:	S-23-14-P
Owner:	Viola Davis
Location of Property:	Concession 3, Lot 15, Wallace Road, District of Portland, Township of South Frontenac
Purpose of Application:	Creation of residential lot
Date of Hearing:	May 8, 2014

DECISION: PROVISIONAL CONSENT GRANTED, subject to conditions

CONDITIONS

1. An acceptable reference plan or legal description of the severed lands in duplicate, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.
2. The land to be severed by Consent Application S-23-14-P shall be for a 2 acre lot, with 250

- ft. of public road frontage.
3. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)
 4. In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.
 3. The Township of South Frontenac shall receive 5% of the value of the severed parcel in lieu of parkland pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.
 4. The surveyor who prepares the reference plan referred to in condition #1 shall also determine by survey the width of the public road abutting the severed and retained lands measured from the centre line of the traveled portion of the road to the lot line of the owner's property. If such width is less than 33 ft., the owner shall dedicate to the Township land along the frontage of the severed and/or retained lands as the case may be in the following manner:
 - f) The land to be dedicated shall be the width required to provide 33 ft. from the centre of the existing travelled road;
 - g) The land to be dedicated shall be described as a separate part on a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;
 - h) The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of South Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended.
 - i) The Transfer/Deed for the land to be dedicated shall be registered by the Owner at the Owner's expense;
 - j) The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to stamping of Deeds.
 5. The applicant shall submit a well driller's report demonstrating a potable water pumping capacity of 3.5 gallons per minute sustained over a 6-hour pump test.
 6. The applicant will be required to acquire a zoning amendment to prohibit development behind neighbouring lot.

Item #21: S-25-14-B (Haslett)

Speaking to the Application: Larry & Re Haslett

Discussion:

This application came before the Committee in late 2012 and the lot additions were approved at that time. However, the application was not finalized. The current application is identical to the one approved previously. There are three properties involved in the application, and the purpose is to reconfigure them to increase the size of the two existing waterfront parcels. One parcel consists of 7+/- acres with frontage on Green Bay Road and is developed with two farm buildings. The other two parcels are waterfront lots of just over 1 acre each. The two lots with no road frontage will need to be rezoned Limited Service – Residential Waterfront.

RESOLUTION: C of A: 14:04:19

Moved by: P. Barr

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves consent application S-25-14-B by Larry & Re Haslett, to create lot additions in concession 3, lot 19/20, Green Bay Road, Bob's Lake, District of Bedford, subject to conditions.

Carried

Application No: S-25-14-B
Owner: Re & Lawrence Haslett
Location of Property: Concession 3, Lot 19/20, District of Bedford, Township of South Frontenac
Purpose of Application: Severance to create lot additions
Date of Hearing: May 8, 2014

DECISION: **PROVISIONAL CONSENT GRANTED, subject to conditions**

CONDITIONS:

1. **An acceptable reference plan or legal description of the severed lands, and the deed or instrument conveying the severed lands shall be submitted to the Secretary-Treasurer for review and consent endorsement within a period of one year after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act.**
2. **The land to be severed by Consent Application S-25-14-B shall be for lot additions to two waterfront lots as indicated on the attached sketch.**
3. **Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. (This includes all taxes levied as of the date of the stamping of the deeds.)**
4. **In the event that there are abandoned wells located on the property being severed, and the retained property, they be sealed in accordance with the requirements of the Ministry of the Environment and that this work be accomplished prior to the stamping of the deeds.**
5. **The Township of South Frontenac shall receive \$100 in lieu of parkland (for each lot addition – 2 x \$100) pursuant to Chapter P13, Section 51.1 of the Planning Act, R.S.O. 1990 and amended thereto.**
6. **The applicants shall rezone the lot addition portions of the enlarged lots so that these lots are zoned Limited Service – Residential Waterfront.**

Item 22: MV-05-14-B (Hebert)

Speaking to the Application: Paul Hebert

Discussion:

This is a large waterfront property (28+ acres) with frontage on Canoe Lake Road and Eel Lake. It is developed with a single family dwelling. The applicants are proposing to construct a 15 ft. wide deck which would be approximately 90 ft. from the high water mark. The CRCA had previously issued a permit for a 9 ft. wide deck since they felt that its setback from the HWM was very close to the required 30m. However, they are not supportive of the additional 5 ft. The applicants have indicated that a 16 ft. deck was part of the original building permit; however, we can find no evidence of a deck of this size on the permit.

RESOLUTION: C of A: 14:04:20

Moved by: P. Barr

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves minor variance application MV-05-14-B by Paul & Judy Hebert, to permit construction of deck within 30m of high water mark, in concession 6, lot 5, Eel Lake, District of Bedford, subject to conditions.

Carried

Application No: MV-05-14-B
Owner: Paul & Judy Hebert
Location of Property: Pt. Lot 5, Concession 6, Eel Lake, District of Bedford, Township of South Frontenac
Purpose of Application: To vary section 10.3.1 of the Comprehensive Zoning By-law to permit development within 30m of high water mark
Date of Hearing: May 8, 2014

DECISION: **VARIANCE APPROVED, subject to conditions**

CONDITIONS:

1. **The variance is limited to the construction of a 14 ft. wide deck along the full front of the building to be located a minimum of 90 ft. from the high water mark of Eel Lake.**
2. **No other structures shall be permitted within the 30m setback from the high water mark.**
3. **Minor variance MV-05-14-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.**
4. **A building permit is required for all demolition and construction on the property within the 30 metre setback from the lake. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.**
5. **The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental policies, and which specifies that a permit will be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.**

REASON FOR DECISION: The variance has been supported by staff, and there have been no objections from the public. It is considered to be minor and in keeping with the intent of the official plan and zoning by-law.

Item 23: MV-07-14-B (Nagy)

Speaking to the Application:

Discussion:

This is a 7.12 acre waterfront parcel and is vacant. There is a right-of-way crossing the property, and a steep bank at the back side of the right-of-way. The proposal is for the construction of a dwelling with a footprint of 750 sq. ft. (including deck) and a 400 sq. ft. loft. (i.e. maximum second storey living space would be 400 sq. ft.).

RESOLUTION: C of A: 14:04:21

Moved by: P. Barr

Seconded by: L. Redden

THAT the South Frontenac Township Committee of Adjustment hereby approves minor variance application MV-07-14-B by Joan Anne Nagy, to permit construction of dwelling within 30m setback from high water mark, in concession 5, lot 3, Eel Lake, District of Bedford, subject to conditions.

Carried

Application No:	MV-07-14-B
Owner:	Joan Anne Nagy
Location of Property:	Pt. Lot 3, Concession 5, Eel Lake, District of Bedford, Township of South Frontenac
Purpose of Application:	To vary section 10.3.1 of the Comprehensive Zoning By-law to permit development within 30m of high water mark
Date of Hearing:	May 8, 2014
DECISION:	VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. **The variance is limited to the construction of a dwelling with a 750 sq. ft. footprint, including any deck, and a loft with maximum living space of 400 sq. ft. to be located a minimum of 70 ft. from the HWM of Eel Lake.**
2. **No other structures shall be permitted within the 30m setback from the high water mark.**

3. **Minor variance MV-07-14-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.**
4. **A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.**
5. **The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit will be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.**

REASON FOR DECISION: The variance has been supported by staff, there have been no objections from the public, the proposal makes the best use of the property, and it is considered to be in keeping with the intent of the official plan and zoning by-law and is minor in nature.

Item 24: MV-08-14-S (Norris)

Speaking to the Application: Stephen Norris

Discussion:

This is a 63 acre waterfront lot, fronting on a public road and on Cranberry Lake. The Township's Zoning By-law does not permit accessory buildings to be constructed closer to the front lot line than the principal building. When a waterfront property fronts on a public road and on a water body, the road is considered to be the front lot line. The proposal is for the construction of a 1080 sq. ft. garage, to be located 61 ft. from the front lot line. At 61ft. the garage would meet the intent of the Official Plan.

RESOLUTION: C of A: 14:04:22

Moved by: C. Naish

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves minor variance application MV-08-14-S by Stephen & Diane Norris, to permit construction of accessory building in front yard, in concession 11, lot 32, Rideau Road, District of Storrington, subject to conditions.

Carried

Application No:	MV-08-14-S
Owner:	Stephen & Diane Norris
Location of Property:	Pt. Lot 32, Concession 11, Rideau Road, Cranberry Lake, District of Storrington, Township of South Frontenac
Purpose of Application:	To vary section 5.24.2 of the Comprehensive Zoning By-law to permit an accessory building in the front yard
Date of Hearing:	May 8, 2014

DECISION: VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. **The variance is limited to the construction of a 1080 sq. ft. garage (storage loft permitted but no living space) to be located 61 ft. from front lot line.**
2. **Minor variance MV-07-14-B is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.**
3. **A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.**

REASON FOR DECISION: The variance has been supported by staff, and there have been no objections from the public. It is considered to be minor and in keeping with the intent of the official plan and zoning by-law.

Item 25: MV-09-14-L (McElcheran, Huff)

Speaking to the Application: James Martin (agent)

Discussion:

This is a 7.65 acre parcel, developed with a single family dwelling. There has been a large deck on the front (water side) and along the south side of the dwelling. The applicant has obtained a building permit to remove a large portion of the deck and to replace it with a smaller deck. They also wish to add a small section of deck within the 30m setback, but no closer to the water than the overall existing deck. The applicants wish to put a roof over a 12 x 14 ft. portion of the deck, with retractable screen walls. This is the part of the deck that requires the variance.

RESOLUTION: C of A: 14:04:23

Moved by: L. McCullough

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby approves minor variance application MV-09-14-L by Kevin McElcheran & Pam Huff, to permit partial enclosure of deck within 30m setback from high water mark, in concession 9, lot 9, Gassage Lane, District of Loughborough, subject to conditions.

Carried

Application No:	MV-09-14-L
Owner:	Pam Huff, Kevin McElcheran
Location of Property:	Pt. Lot 9, Concession 9, Little Devil Lake, District of Loughborough, Township of South Frontenac
Purpose of Application:	To vary section 10.3.1 of the Comprehensive Zoning By-law to permit development within 30m of high water mark
Date of Hearing:	May 8, 2014
DECISION:	VARIANCE APPROVED, subject to conditions

CONDITIONS:

1. The variance is limited to the construction of a 12 ft. x 14 ft. screened porch 55ft. from the HWM of Little Devil Lake.
2. No other structures shall be permitted within the 30m setback from the high water mark.
3. Minor variance MV-09-14-L is applicable only to South Frontenac Township Comprehensive Zoning By-law 2003-75 and not to any subsequent zoning by-laws.
4. A building permit is required for all demolition and construction on the property. There shall be no additional development, or demolition of existing structures, on the property without approval from the Township of South Frontenac.
5. The applicant shall enter into a site plan agreement with the Township to be registered on title, which sets out the Township's environmental and limited service policies, and which specifies that a permit will be required from the Cataraqui Region Conservation Authority for the proposed development, and for any shoreline or in-water works.

REASON FOR DECISION: The variance has been approved by staff, and there have been no objections from the public. It is considered to be minor and in keeping with the intent of the official plan and zoning by-law.

Item #26: Deputy Secretary-Treasurer Appointment**RESOLUTION: C of A: 14:04:24**

Moved by: C. Naish

Seconded by: K. Gee

THAT the South Frontenac Township Committee of Adjustment hereby appoints Amanda Mallory as Deputy Secretary-Treasurer of the Committee.

Carried

Item #27: Adjournment

RESOLUTION: C of A: 14:04:25

Moved by: K. Gee

Seconded by: L. McCullough

THAT the May 8, 2014 meeting of the South Frontenac Committee of Adjustment is hereby adjourned at 8:45p.m. to reconvene at 7:00p.m. on Thursday, June 12, 2014 or at the call of the Chair.

Carried

Ron Vandewall
Chair

Lindsay Mills
Secretary-Treasurer